

REMARKS

The Applicants have carefully reviewed the Final Office Action mailed April 3, 2007 and offer the following remarks to accompany the above amendments.

Initially, the Applicants wish to thank the Examiner for stating that claim 68 is allowed and that claims 48-54, 56-58, 60-66, and 69-72 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112 and 35 U.S.C. § 101. Furthermore, the Applicants would like to thank Examiner Pham for taking the time to discuss the pending application with the Applicants' representative, Tony Josephson, on March 9, 2007 and March 13, 2007. During the telephonic Examiner Interview, the claim amendments shown above were discussed. Importantly, the Examiner indicated that these amendments would place the application in a condition for allowance.

Rejection of Claims 48-58, 71, and 72

Turning to the merits of the Final Office Action mailed April 3, 2007, claims 48-58, 71, and 72 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 48-54, 57, 58, 60-66, and 69-72 were also rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. The Applicants have amended claims 49, 51, 53, 54, 56, 57, 62, 64-66, and 71 as noted above where the amendments comport with the amendments suggested by the Examiner both during the Examiner Interview and in the Final Office Action mailed April 3, 2007. As kindly indicated by Examiner Pham during the Examiner Interview and in the Final Office Action mailed April 3, 2007, these amendments place claims 48-54, 56-58, 60-66, and 69-72 in a condition for allowance. Accordingly, the Applicants request that the rejection be withdrawn.

Rejection/Objection of Claims 55 and 67

Claims 55 and 67 were rejected under 35 U.S.C. § 102(a) as being anticipated by "A Syntax for the MGCP Audio Package" by *Cromwell*. Moreover, the Patent Office indicated that should claims 49 and 62 be found allowable, claims 55 and 67 would be objected to under 37 C.F.R. § 1.75 as being a substantial duplicate of claims 49 and 62. The Applicants have

cancelled claims 55 and 67, thereby rendering the rejection and the potential objection of these claims moot.


Comments on Statement of Reasons for Allowance

In the Final Office Action mailed April 3, 2007, the Patent Office kindly provided an Examiner's statement of reasons for allowance. The Applicants provide herewith their comments on the statement of reasons for allowance. In the Final Office Action mailed April 3, 2007, the Patent Office points out that the prior art of record does not include "mapping the audio identifier of an audio segment in the centralized database to the offset and length of an audio segment within the constructed audio package and tracking a version number of any audio package created with the audio package builder/export tool as recited in claims 49, 56, 62, and 68."¹ The Applicants respectfully submit that each of claims 49, 56, 62, and 68 does not include all of these features. In particular, claims 49 and 62 do not include the tracking feature mentioned in the reasons for allowance. Furthermore, claims 56 and 68 do not have the mapping feature discussed in the reasons for allowance. Thus, the Applicants are not admitting that each of these claims include all the features mentioned in the Examiner's statement of reasons for allowance.

The present application is now in a condition for allowance and such action is respectfully requested. The Examiner is encouraged to contact the Applicants' representative regarding any remaining issues in an effort to expedite allowance and issuance of the present application.

Respectfully submitted,
WITHROW & TERRANOVA, P.L.L.C.

By:


Anthony J. Josephson
Registration No. 45,742
100 Regency Forest Drive, Suite 160
Cary, NC 27518
Telephone: (919) 238-2300

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¹ See Final Office Action mailed April 3, 2007, p. 15.